रजिस्ट्री सं. डी-(डी)-72 REGISTERED No. D-(D)-72

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 1
PART II—Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 93] नई दिल्ली, बृहस्पतिवार, दिसम्बर 26, 1985/पौष 5, 1907
No. 93] NEW DELHI, THURSDAY, DECEMBER 26, 1985/PAUSA 5, 1907

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, 26th December, 1985/Pausa, 5, 1907 (Saka)

The following Act of Parliament received the assent of the President on the 26th December, 1985, and is hereby published for general information:—

THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) ACT, 1985

No. 74 OF 1985

[*26th December*, 1985.]

An Act further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1985. Short title.

30 of 1954. 2. In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), for the words "seven hundred and fifty rupees", the words "one thousand rupees" shall be substituted. Amendment of section 3.

Amendment of section 5.

3. In section 5 of the principal Act,—

(*a*) in sub-section (*1*),—

(*i*) in clause (*b*), for the words "if the journey", the words "if the journey, being a journey during a sitting of the Committee," shall be substituted;

(*ii*) for the second proviso and the *Explanation*, the following proviso shall be substituted, namely:—

"Provided further that nothing in the first proviso shall apply, if the member performs the journey by air for visiting any place in India not more than once during a sitting of the Committee.";

(*b*) for sub-section (*2*), the following sub-section and *Explanations* shall be substituted, namely:—

'(*2*) Every member shall be entitled to an amount equal to the fare by air for each single journey by air [other than a journey referred to in section 4 or the second proviso to sub-section (1) of this section or section 6C] performed by him from any place in India to any other place in India during his term of office as such member:

Provided that no member shall be entitled to any payment under this sub-section in respect of any journeys in excess of sixteen performed by him during any year.

Explanation I.—The provisions of clause (*c*) of sub-section (*1*) and of sub-section (*2*) of section 4 shall, so far as may be, apply to travelling allowances payable under this section as they apply to travelling allowances payable under that section.

Explanation II.—For the purposes of this section, "year" means,—

(*i*) in the case of a person who is a member at the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1985, the year beginning with such commencement and each of the subsequent years;

(*ii*) in the case of a person who becomes a member after such commencement, the year beginning with the date on which his term of office as such member commences and each of the subsequent years.'.

Amendment of section 6D.

4. In section 6D of the principal Act, for the words, brackets and figures "sub-section (*1*) of section 5", the words, brackets and figures "sub-section (*1*) or sub-section (*2*) of section 5" shall be substituted.

Substitution of new section for section 8.

5. For section 8 of the principal Act, the following section shall be substituted, namely:—

Constituency

"8. A member shall be entitled to such constituency allowance and to such medical facilities for himself and for members of his

family and to such housing, telephone, water, electricity facilities or such amount in cash in lieu of all or any of such facilities, as may be prescribed by rules under section 9.". allowance and amenities.

6. In section 8A of the principal Act, in sub-section (*1*),— Amendment of section 8A.

(*a*) for the words "three hundred rupees", at both the places where they occur, the words "five hundred rupees" shall be substituted;

(*b*) in the second proviso, the words "so, however, that in no case the pension payable to such person shall exceed five hundred rupees per mensem" shall be omitted;

(*c*) after the second proviso, the following proviso shall be added, namely:—

"Provided also that every person, who has served for any period as a member of the Provisional Parliament and who is not entitled to any pension under the foregoing provisions of this sub-section, shall, with effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1985, be entitled to a pension of five hundred rupees per mensem.";

(*d*) the *Explanation* shall be renumbered as *Explanation 1* and in the *Explanation* as so renumbered, for the words, brackets and figures "clauses (*iv*) and (*v*) of sub-section (*1*)", the words "this sub-section" shall be substituted;

(*e*) after *Explanation 1* as so renumbered, the following *Explanation* shall be inserted, namely:—

"*Explanation 2.*—Where in any General Election held for the purpose of constituting a new House of the People, poll could not be taken in any Parliamentary constituency or any part thereof on the date originally fixed under clause (*d*) of section 30 of the Representation of the People Act, 1951 on account of snow-falls or other weather conditions of an extreme nature in such constituency or part thereof or on account of such constituency or part thereof being inaccessible for any reason, the member elected to such House from such constituency shall be deemed, for the purposes of this sub-section, to have served as a member of such House from the date of publication, under section 73 of the said Act, of the notification relating to such House.". 43 of 1951.

7. After section 8A, the following section shall be inserted, namely:— Insertion of new section 8B.

"8B. There may be paid to a member by way of a repayable advance such sum of money not exceeding twenty thousand rupees as may be determined by rules made in this behalf under section 9 for the purchase of a conveyance.". Advances for purchase of conveyance.

Amendment of section 9.

8. In section 9 of the principal Act, in sub-section (3), for clause (*f*), the following clauses shall be substituted, namely:—

"(*f*) the constituency allowance and medical and other facilities mentioned in section 8 and the amount to be paid in cash in lieu of such facilities;

(*ff*) the amount which may be paid by way of repayable advance for the purchase of conveyance; the rate of interest thereon and the mode of recovery of such amount and interest thereon; and".

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

PRINTED BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI, 1985